

93 the side voids of a block being defined between the head and body portions
on either side of the neck portion of the block.

12. (Amended) The retaining wall of claim 8 wherein the retaining wall is reinforced with rebar and grout[ing], a length of the rebar passing through [each of at least one of] the continuous cavity [cavities], [each length of] the rebar being secured in the [respective the] continuous cavity with the grout.

94 13. (Amended) The retaining wall of claim 8 wherein the retaining wall incorporates at least one post [each] extending into [a] the continuous cavity and protruding from the [top] upper course, [each of] the at least one post being secured in the [respective the] continuous cavity with grout.

14. (Amended) The retaining wall of claim 8 wherein the retaining wall incorporates a geogrid tie-back disposed between [two adjacent] the upper and lower courses, the geogrid tie-back having apertures and being secured with at least one of the first and second pins passing through the apertures thereof.

REMARKS

Claim 2 has been canceled above. Claims 1, 5, 8, 12, 13, and 14 have been amended above. The amendments to the claims add no new matter. Support for the amendments to the claims may be found generally throughout the specification and drawings.

Claims 1 and 3 to 15 will be pending after entry of the above amendments.

For the convenience of the Examiner, Applicants' remarks herein are set forth under appropriate subheadings.

Rejections under 35 U.S.C. § 102(e)

The Examiner rejected claims 8 to 11 and 14 under 35 U.S.C. § 102(e) allegedly as anticipated by Maguire et al. (U.S. Patent No. 5,951,210).

Applicants respectfully traverse this rejection of the claims, but have amended claim 8 to place it in independent format and more clearly point out the invention. Claim 14 has been amended to clarify language. A proper rejection under 35 U.S.C. § 102(e) requires that a reference show all of the elements of the invention. Maguire et al. do not disclose the present invention as claimed in amended claim 8 or in claims 9 to 11 and 14 which depend therefrom. Claims 8 to 11 and 14 are not anticipated by Maguire et al. because the claims are directed to a retaining wall including first and second pins connecting vertically adjacent blocks in the wall. Maguire et al. do not teach or describe the use of pins in a block or a wall.

Accordingly, Applicants respectfully request that the rejection of claims 8 to 11 and 14 under 35 U.S.C. § 102(e) be withdrawn.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1 to 15 under 35 U.S.C. § 103(a) as being obvious over Maguire et al. (U.S. Patent No. 5,951,210) in view of Dawson (U.S. Patent No. 5,913,790).

Applicants respectfully traverse this rejection of the claims. Claim 2 has been canceled without prejudice above, and claims 1, 5, 8, and 12 to 14 have been amended above.

Neither Maguire et al. nor Dawson, taken together or alone, teach or describe a block having the characteristics as recited by the present claims. Even if all elements of a claim are disclosed in various prior art references, the claimed invention taken as a whole cannot be said to be obvious without some reason given in the prior art why one of ordinary skill in the art would be prompted to combine the teachings of the references to arrive at the claimed invention. As applied to Applicants' invention, there is no reason for one of ordinary skill in the art to combine the pins and the pin cavities of Dawson with the retaining wall block of Maguire et al.

Indeed, Maguire et al. teach away from making such a combination. Specifically, Maguire et al. describe a retaining wall block having concrete tabs extending upwardly to be received in slots on the lower face of a block in an upper course. Maguire et al. point to the difficulties and disadvantages of prior art blocks having pin connection systems and walls made therefrom at Column 1, lines 16 to 27 and lines 43 to 47 and again at Column 4, lines 20 to 31. Specifically, Maguire et al. teach away from the use of pins in a retaining wall block for the purpose of interconnecting the blocks when forming a retaining wall and state that an object of their invention is to overcome the disadvantages of such prior art blocks. These disadvantages are stated to include the requirement of significant on-site labor, the careful alignment which is required, and the difficulty of securing each block element with pins.

Dawson shows a block having a core, pin holes, and pin receiving cavities, however, Dawson does not teach the block of the present invention, which specifically recites the arrangement and relationship of the pin holes and pin receiving cavities.

Accordingly, Applicants respectfully request that the rejection of claims 1 and 3 to 15 under 35 U.S.C. § 103(a) be withdrawn.

The Examiner rejected claims 12, 13, and 15 under 35 U.S.C. § 103(a) as being obvious over Maguire et al. (U.S. Patent No. 5,951,210).

Applicants respectfully traverse this rejection of the claims.

Claims 12, 13, and 15 are dependent claims that recite further limitations to amended claim 8. As stated previously, Maguire et al. do not teach or describe a retaining wall having the elements required by claim 8, which includes the presence of pin receiving cavities, pin holes, and first and second pins. Further, as also stated above, Maguire et al. teach away from the use of pins. One of skill in the art would not be motivated by the teachings of Maguire et al. to develop the block of the present invention.

Accordingly, Applicants respectfully request that the rejection of claims 12, 13, and 15 under 35 U.S.C. § 103(a) be withdrawn.

In view of the above remarks, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims.

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Transmittal Letter

Applicant: Robert A. MacDonald, et al.

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Respectfully submitted,

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By Terry L. Wiles

Terry L. Wiles, Esq. (29,989)

Patrick J. O'Connell, Esq. (33,984)

Miriam G. Simmons (34,727)

POPOVICH & WILES, P.A.

IDS Center, Suite 1902

80 South 8th Street

Minneapolis, MN 55402

Telephone: (612) 334-8989

Representatives of Applicants